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VIA ECF

June 28, 2024

Hon. Valerie E. Caproni
United States District Court Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *CityLights Distribution, LLC, et al. v. FanX, Inc., d/b/a Gameday VR*, No. 23-cv-8397-VEC

Dear Judge Caproni:

Pursuant to the Order entered by the Court on May 24, 2024 (ECF No. 39), the parties submit this joint status report regarding the progress of settlement discussions.

As previewed in their prior correspondence (ECF No. 38), the parties are engaged in ongoing settlement discussions. Further, in an effort to resolve this dispute amicably, Defendant has been making rolling productions of documents and information, which Plaintiffs are still reviewing. While the parties have not yet reached a final resolution, they remain optimistic about the prospects for settlement.

The Court directed the parties to submit a proposed summary judgment briefing schedule by today if they had not yet reached an agreement to resolve this action. The parties respectfully propose the following briefing schedule, which incorporates time for the parties to continue their settlement discussions before resorting to motion practice:

Motions for summary judgment due no later than **September 13, 2024**; responsive briefs due no later than **October 18, 2024**; and replies due no later than **November 4, 2024**.

The parties thank the Court for its attention to this matter.

/s/ Philip M. Smith

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Application GRANTED. Motions for summary judgment must be filed by no later than September 13, 2024; responsive briefs must be filed by no later than October 18, 2024; and replies are due no later than November 4, 2024.

If the parties think a referral to Judge Stein, U.S. Magistrate Judge, for a settlement conference, would be helpful, the Court will enter one at any time upon a joint request.

SO ORDERED.

7/1/24



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE